

THE TALE OF A TELEPHONE

SECRETARY LAMAR'S COURT SITS ON
TUESDAY MATRONS

A Hearing at Which All Parties in Interest Are Represented, Including the Public—The Petitions Against the Monopoly of Electric Talking.

The room occupied by the assistant attorney general of the Interior Department was the scene of a distinguished gathering and an interesting hearing yesterday. The room was crowded with officials, inventors and lawyers. Secretary Lamar, Commissioner of Patents Montgomery, and Attorney General Montgomery listened to the arguments of the representatives of the Bell Telephone Company, the Western Union

The proceedings were opened by Secretary Lamar, who stated that nine petitions had been filed in this case. Inasmuch as there seemed to be a concurrence of sentiment and wish by all the parties concerned in this controversy that the whole case should be taken up at once and considered as a whole

he preferred that there be no discussion on the question of the power of the government to institute a suit to vacate a patent, and that the respective applicants, who are movers in this matter, should begin with their evidence and submit their cases.

The first case called was that of the Globe Telephone Company, and Mr. Humphreys, the attorney for the company, read the petitions filed in its behalf, which set forth that the patent examiner who passed Bell's patent was under the impression that it related to a system of multiplex telegraphy that Bell's original telephone was inopera-

that he could not truthfully claim priority of invention of the telephone because it was commonly known that Bell, Menecia, Gray and others had made and used telephones before Bell's application; that it could be

shown that Meucci had used a telephone in 1849, and that he had not abandoned his invention; that the Western Union Telegraph Company, controlling certain telephonic patents, had entered into a contract with the Bell company to compromise their difficulties, by which the Western Union company received 20 per cent. of the profits of the telephone company, and that these

The remainder of the petitions were read in the order of their presentation and included substantially the same matter set out in the foregoing petitions. During the reading of the petition of the Cushman company, Mr. Humphreys stated that there was a contract in existence made between Cushman and the Bell company by the terms of which Cushman agreed to remain quiet and avoid interference with the Bell patents. This document was in the hands of the attorney for the Bell company, and later on the

In the petition of the Pan-Electric company it is set out that Gray filed a caveat for a telephone on the day of Bell's application, and that, contrary to the law, the contents of Gray's caveat were made known to Bell by an official of the patent office, and that, within a few days, Bell made an important amendment to his application cov-

Mr. Starrow stated that the Bell company had no desire to submit a written answer to the petitions; it was sufficient to deny generally everything that had been said out. Mr. Humphreys then read the affidavits submitted in support of the petitions, beginning with the affidavit of Zenos W. Blair, an examiner of the patent office, who testified that he had seen the telepho-

Gray's caveat and Bell's application, he suspended Bell's application and notified Gray to complete his caveat within three months. Those orders had been revoked and a patent issued to Bell. In all his experience of eleven years' practice affiant had not known of a similar ruling. Had the usual course

been followed after the suspensory order. Bell could not have received a patent, and had Menzies's caveat been renewed in 1876, no patent could have issued to Bell. A fluent did not suspect crookedness at the time. He did not believe that Bell's application was for a talking telephone, but for multiplex telegraphy, and is convinced that his device as described in his original

A. K. Eaton, an electrical expert and inventor, of Brooklyn, in his affidavit deposes that the Reiss apparatus is capable of transmitting speech. He also describes Metecia's invention, and stated that in his opinion Reiss was the inventor of the telephone. L. S. Pratt, of the editorial staff of the New York World, in his affidavit op-

Prof. Amos E. Dalbear, of Tuft's College, Mass., makes an affidavit that he was told by Bell in the fall of 1876 that he (Bell) had patented the magneto telephone two or three years before, and that it did not belong to another. This statement is

discouraged affiant, and he did not carry out his intention of applying for a patent for his own invention. Affiant's instruments had, through the Gold and Stock Company, come under the control of the Western Union Telegraph Company, and affiant was not represented at the interference proceedings before the patent office because of the fact that the Bell company controlled the

Mr. Beckwith, representing the Glouster company, read an affidavit of Anton Meuccia, describing his inventions, and exhibits were laid before the Secretary to au-

port his allegation. Menecia recounts his struggles against extreme poverty, while he says, prevented him from taking out patent for a telephone conceived by him in 1849, while in Havana, and for which he had made a caveat in 1871. A long transcription from his notes of experiments in telephony, ante-dating the Bell patent, was read, and a number of correlative affidavits

Solicitor McCue's Report.
Judge McCue, solicitor of the treasury, in his report states that during the fiscal year 2,000 suits were commenced, of which 80 were in the recovery of \$750,000 from defaulting pub-

officers; 181 for the recovery of \$1,048.99 on 1 count of violation of the postal laws; 39 for the recovery of \$66,748 on customs house bonds for the recovery of \$15,873 for violation of customs and navigation laws; 825 were suits against collectors of customs and others for refund of duties and taxes, and 1,000 were suits, involving \$1,391,766, in which the United States is a party, or is interested, making a total sued for of \$3,229,290. Of the whole number of suits brought

1,376 were decided in favor of the United States; 43 were adversely decided; 372 were settled and dismissed, and 1,515 are still pending. The entire number of suits decided and disposed of during the year was 2,879; 4 amount for which judgments were obtained exclusive of decrees, was \$519,524, and the entire amount collected from all sources was \$562,682.

The contest over the St. Louis postoffice regarded as settled in favor of Mr. Wan. Hyde. It is seldom in the history of contests that Missouri casts her political influence so nearly unanimously as it did in favor of Mr. Hyde. It is ascertained that there were practically no two candidates for the position, these being Mr. Hyde and Mr. John G. Post. The delay for the last few days has been the result of the

To Enforce the Proclamation.
Secretary Rudwick has issued instructions to enforce the President's proclamation regarding the uprising against the Chinese.
